

DOCKET NO.: JJCP-0013**PATENT****REMARKS****Status of the Claims**

Claims 1-63 are pending.

By way of this preliminary amendment, claims 16-63 have been canceled and new claims 64-145 have been added.

Upon entry of this preliminary amendment, claims 1-15 and 64-145 will be pending.

Summary of the Examiner's Interview

Applicants wish to thank the Examiner for the courtesy and helpful comments provided to Applicants' undersigned attorney and Applicants' attorney, Ms. Andrea Colby. The substance of the discussion during the interview is reflected throughout this response. In particular, Applicants' attorneys pointed to specific passages in the specification supporting Applicants' contention that Applicants intended to claim the methods of the invention. The legal requirements that the methods claimed be the same invention described in the specification was discussed. New claims 64-143 refer to disclosed methods of making compositions. New claims 64-145 specifically include claim elements and refer to embodiments disclosed in the specification. During the Examiner's interview, Applicants' attorneys and the Examiner discussed the support in the specification for claims directed to making compositions. New claims 64-145 specifically include claim elements and refer to embodiments consistent with the substance of the discussions.

Summary of the Amendment

Claims 16-63 have been canceled without prejudice.

New claims 64-143 refer to methods of preparing emulsion skin care compositions. New claims 144 and 145 refer to emulsion skin care compositions made by the processes of claims 64 and 106, respectively.

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Support for new claims 64-145 is found throughout the specification of U.S. Patent No. 5,652,263. The claims to methods of preparing the emulsion skin care compositions are described, for example, on column 1, lines 15-19, column 27-40 and the Examples that appear in columns 7-22. The components of the compositions made according to the described methods are set forth throughout the specification such as column 5, line 59 to column 7, line 47 and the Examples that appear in columns 7-22. The subject matter of new claims 64-145 is described in the specification. No new matter has been added.

Conclusion

Applicants respectfully request that claims 1-15 and 64-145 of the instant reissue application be examined on the merits. A favorable determination is respectfully solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 16-63 were canceled and claims 64-145 were added.